

## ATTACHMENT 12

City Council  
RESOLUTION NO. (to be filled in)  
PLANNED INDUSTRIAL DEVELOPMENT/COASTAL DEVELOPMENT  
PERMIT NO. 99-0036  
**HEADQUARTERS POINT RESEARCH PARK**

WHEREAS, CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, OWNER, and SAN DIEGUITO PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, APPLICANT, filed an application with the City of San Diego for a permit to subdivide the site into two lots and develop a planned industrial development, as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 99-0036, on portions of a 10.3 acre site and;

WHEREAS, the project site is located between Wateridge Circle and Lusk Boulevard in the M1-B (IL-2-1) zone of the Mira Mesa Community Plan and;

WHEREAS, the project site is legally described as a Portion of Lot 10 of Corporate Research Park II, Map No. 13605, filed July 27, 1998, and;

WHEREAS, on (to be filled in), the Council of the City of San Diego considered Planned Industrial Development/Coastal Development Permit No. 99-0036 pursuant to Sections 101.0920 and 105.0200 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated (to be filled in).

FINDINGS:

**PLANNED INDUSTRIAL DEVELOPMENT**

**1. The proposed use will fulfill a community need and will not adversely affect the City's Progress Guide and General Plan or the adopted community plan.** The proposed subdivision of this property to create two building lots through a Vesting Tentative Map and Planned Industrial Development/Coastal Development permit will fulfill a community need by providing additional sites within the community for industrial development. The site is identified by the Mira Mesa Community Plan and the City's Progress Guide and General Plan for development with industrial uses. The proposed uses on this site, which are consistent with the land use policy documents guiding development in the community, will not adversely affect the community or City.

**2. The proposed use will not be detrimental to the health, safety and general**

**welfare of persons residing or working in the area and will not adversely affect other properties in the vicinity.** Conditions of approval found within the Vesting Tentative Map Resolution and Planned Industrial Development/Coastal Development Permit No. 99-0036 address the health, safety, and general welfare of persons residing or working the area and properties in the vicinity to preclude detrimental effects from the existing development. Compliance with all building, electrical, plumbing, and zoning regulations as allowed through a Planned Industrial Development, will be achieved by the proposed development at this site.

**3. The proposed use will fully comply with the relevant regulations of the Municipal Code in effect for this site.** As allowed through a Planned Industrial Development, the proposed development and subdivision will comply with all relevant regulations of the Municipal Code.

### **COASTAL DEVELOPMENT**

**4. The proposed development will not encroach upon any existing physical accessway legally utilized by the general public or any proposed public accessway identified in an adopted LCP Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.** The proposed development is located entirely within a legally owned private property which is not identified in the Local Coastal Program Land Use Plan as an accessway to be utilized by the public or proposed to be accessed by the public. The improvements will be located within the development envelope of the site and completely outside the required setbacks of the site. As such, the proposed development will not obstruct any views to and along the ocean and other scenic coastal areas from public vantage points.

**5. The proposed development will not adversely affect identified marine resources, environmentally sensitive areas, or archaeological or paleontological resources.** The proposed project will be located on a site which is designated for industrial development. The site characteristics and resources have been inventoried and evaluated to determine if marine resources, environmentally sensitive areas, archaeological or paleontological resources are present on the site. Resources found to exist on the site will be mitigated to avoid a direct adverse affect on these resources.

**6. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Chapter X, Section 101.0462 of the San Diego Municipal Code, unless by the terms of the Resource Protection Ordinance, it is exempted therefrom.** The existing site, to be developed as an industrial property, contains biologically sensitive lands as defined by the Resource Protection Ordinance. As such, the proposed development is required to provide mitigation. The required mitigation is included in the permit

prepared for the proposed project.

**7. The proposed development will not adversely affect identified recreational or visitor-serving facilities or coastal scenic resources.** The proposed site is located on an undeveloped lot within a larger existing industrially developed area. The development of the site with industrial uses will have no adverse affects on recreational, visitor-serving facilities or coastal scenic resources located in other areas of the City of San Diego. The site is designated in the Local Coastal Program and the Mira Mesa Community Plan for industrial development.

**8. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.** The proposed development is adjacent to other developed industrial lots zoned M1-B and is not adjacent to parks or recreation areas. The proposed improvements will not be visible from the Torrey Pines State Park which is west of the site or from the Pacific Ocean. The proposed development does not require any buffer to protect the resources located in the parks or recreation areas nearest to the site.

**9. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards.** See finding number six.

**10. The proposed development will be visually compatible with the character of the surrounding area, and where feasible, will restore and enhance visual quality in visually degraded areas.** See finding number seven.

**11. The proposed development will conform with the City's Progress Guide and General Plan, the Local Coastal Program, and any other applicable adopted plans and programs in effect for this site.** See finding number eight.

#### **BRUSH MANAGEMENT ALTERNATIVE COMPLIANCE FINDINGS**

**12. The proposed brush management program will meet the purpose and intent of the Uniform Fire Code.** The proposed development complies with the purpose and intent by providing an effective fire break by means of an Alternative Brush Management Zones, as shown on Exhibit 'A' and the Alternative Compliance Provision (Section 6.2), the Architectural Features (Section 6.6-2) and Zone Reduction Application (Section 6.6-3&5) of the Landscape Technical Manual.

**13. The proposed brush management program, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of**

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**persons residing or working in the area.** Requirements incorporated into the permit provide an effective fire break and ensure minimal risk of erosional forces affecting hillsides by providing revegetation to all slopes per the Landscape Technical Manual, Section Seven.

**14. The provision as outlined in Section 6.6-2 of the document entitled 'City of San Diego Landscape Technical Manual', (on file in the Office of the City Clerk as document number RR-274506) shall be satisfied and the proposed development shall offer other fire resistive features as required by the Fire Chief.** The Architectural Features (Section 6.6-2) of the Landscape Technical Manual have been incorporated into the project.

**15. Compliance with the provision of this section in addition to any other applicable adopted plans or ordinances would preclude any reasonable development on the site.** The site design complies with the Mira Mesa Community Plan. However, site constraints preclude literal compliance with the provisions of the Uniform Fire Code without encroachment into sensitive habitat. Therefore, the alternative compliance provision of the Landscape Technical Manual has been implemented to allow for reasonable development of this site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council, Planned Industrial Development/Coastal Development Permit 99-0036 is hereby GRANTED by the City Council to the referenced Owner, in the form, exhibits, terms and conditions as set forth in Permit No. 99-0036, a copy of which is attached hereto and made a part hereof.

APPROVED: CASEY GWINN, CITY ATTORNEY

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Mary Jo Lanzafame  
Deputy City Attorney

Adopted on: